

City of Springfield
Regular Meeting

MINUTES OF THE REGULAR MEETING OF
THE SPRINGFIELD CITY COUNCIL HELD
MONDAY, DECEMBER 6, 2004

The City of Springfield council met in regular session in the Council Meeting Room, 225 Fifth Street, Springfield, Oregon, on Monday, December 6, 2004, at 7:00 p.m., with Mayor Leiken presiding.

ATTENDANCE

Present were Mayor Leiken and Councilors Lundberg, Fitch, Ralston, Woodrow and Pishioneri. Also present were City Manager Mike Kelly, Assistant City Manager Cynthia Pappas, City Attorney Joe Leahy, City Recorder Amy Sowa and members of the staff.

Councilor Ballew was absent (excused), but participated in a portion of the meeting via conference phone (see ORDINANCES later in agenda).

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Leiken.

SPRINGFIELD UPBEAT

1. Groundwater Guardians Presentation.

City Planner Sarah Summers presented this item. Ms. Summers said this is the 8th year this award has been presented and the plaque is now full. She introduced Nancy Moreno from the Springfield Utility Board (SUB).

Ms. Moreno said for eight years the city has supported the Groundwater Guardians. This volunteer group, made up of agencies, businesses and private citizens, continues to protect the drinking water of our region. This is accomplished through public service, legislation and community activity. School programs related to water and the protection of water have been active as well. Stuart Perlmeter, the teacher in Springfield who is responsible for the drinking water education in the city and district wide, was presented with the Edith Stephens Groundwater Educator of the Year Award presented in Washington D.C. This is a national award and the Groundwater Guardians are very proud of Mr. Perlmeter and the work he has done. Cooperation between agencies has been outstanding in 2004. A webcast roundtable discussion brought together twenty-three representatives from local agencies and organizations to share ideas for protecting our drinking water resources. Some of the major accomplishments this year include the Lane County Co-Adoption of Springfield's Drinking Water Protection Plan and Article Seventeen for areas outside the city, but within the urban growth boundary (UGB). This legislation was put together by the City of Springfield and was sponsored by Springfield Utility Board (SUB). The Unified Release Notification System (URNS) also went into affect in 2004. This program is an informal agreement with agencies with interest in the Middle Fork Willamette watershed. If a chemical spill occurs anywhere in the watershed, the first responder is to call 9-1-1. These call centers, both in Oakridge and Eugene, have instructions to call all of the requesting agencies downstream to notify them of a spill. For SUB, this is our drinking water inlet on the

Middle Fork. Public education projects in 2004 included a hazardous materials round up in Oakridge that removed 5800 pounds of potential contaminants from the watershed. This important project, which the group tries to do every year somewhere in the Middle Fork, is responsible for reducing contamination that could otherwise affect our drinking water in Springfield. She thanked council on behalf of the Groundwater Guardians for their continued support.

2. Environmental Leadership Awards.

Assistant City Manager Cynthia Pappas presented this item. Ms. Pappas introduced Sharon Banks from the Lane Regional Air Pollution Authority (LRAPA).

Ms. Banks presented Nancy Steele, representing the Royal Caribbean Cruise Lines, with the Environmental Leadership Award to Royal Caribbean Cruises for reducing air pollution in Lane County by using biodiesel for power generation equipment. Ms. Steele said she was very honored to accept the award on behalf of the Cruise Line. Ms. Banks noted that biodiesel is a domestic fuel that is made from oil seed crops and soybeans grown in the mid-west United States. It is shipped in rail cars to Oregon where it is distributed in our community. Choosing biodiesel for power generation reduces air pollution from particulates, carbon monoxide, sulfur monoxide and over forty carcinogenic substances found in petroleum based diesel exhaust. Using biodiesel also supports the United States agriculture industry and reduces our dependence on foreign oil. Biodiesel is readily available and can be ordered in any blend from our local fuel providers. Springfield has great reason to celebrate.

Ms. Banks introduced Jim Horton from the Springfield School District, Marcy Parker from the City of Springfield Maintenance Division, and Bob Keefer from Willamalane Parks District. These agencies, as well as Rainbow Water District, were recognized for switching to ultra low sulfur diesel. This decision will result in a fifteen percent reduction in air pollution and enable the Springfield School District to qualify for free Exhaust After-Treatment Systems for our school busses. The clean fuel, combined with these exhaust systems will reduce diesel exhaust pollution by over ninety percent.

CONSENT CALENDAR

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR WOODROW TO APPROVE THE CONSENT CALENDAR WITH A CORRECTION TO THE NOVEMBER 15, 2004 MINUTES. PAGE 1, LAST PARAGRAPH SHOULD STATE 'COMPREHENSIVE' PLAN RATHER THAN 'CONFERENCE' PLAN. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST (1 ABSENT – BALLEW).

1. Claims

- a. Approval of the November 2004 Disbursements for Approval.

2. Minutes

- a. November 15, 2004 – Work Session

3. Resolutions

- a. RESOLUTION NO. 04-47 – A RESOLUTION ESTABLISHING APPLICATION FEE FOR DEMANDS FOR REAL PROPERTY COMPENSATION UNDER OREGON REVISED STATUTES CHAPTER 197 AS AMENDED BY BALLOT MEASURE 37, APPROVED BY THE VOTERS OF THE STATE OF OREGON ON NOVEMBER 2, 2004.
- b. RESOLUTION NO. 04-48 – A RESOLUTION AUTHORIZING THE CITY MANAGER TO AWARD COMPETITIVE BIDS AMOUNTING TO MORE THAN \$15,000 DURING THE PERIOD OF DECEMBER 7, 2004, TO JANUARY 4, 2005 WHILE THE CITY COUNCIL IS IN RECESS.

4. Ordinances

- a. ORDINANCE NO. 6103 – AN ORDINANCE OF THE CITY OF SPRINGFIELD APPROVING THE GLENWOOD URBAN RENEWAL PLAN.

5. Other Routine Matters

- a. Approval of Liquor License Endorsement for Willamette Valley Vineyards, Located at 5170 Franklin Boulevard, Springfield, OR.
- b. Approval of Liquor License Endorsement for 535 Club Rock, Located at 535 Main Street, Springfield, OR.
- c. Approval of Bid Award Contract for Martin Luther King Jr. (MLK) Parkway Sanitary and Storm Trunk Sewers to H & J Construction Company in the Amount of \$850,126.30 Subject to Receipt of PeaceHealth's Share of Project Cost.
- d. Approval to Award Contract for Engineering Services for the Design and Construction Management of the Harlow Road Sanitary Lift Station to West Yost & Associates Consulting Engineers in the Amount of \$266,000.
- e. Approval to Enter into an Agreement with Lane County to Provide Engineering Services and Act as an Agent for the City for the Appraisal, Negotiation and Acquisition of the Real Property Rights Needed to Construct the Project on South 42nd Street.

ITEMS REMOVED FROM THE CONSENT CALENDAR

PUBLIC HEARINGS - **Please limit comments to 3 minutes. Request to speak cards are available at both entrances. Please present cards to City Recorder. Speakers may not yield their time to others.**

- 1. Establishing Liens for Public Improvements to Serve 11th Street from M Street to Olympic.

ORDINANCE NO. 6104 – AN ORDINANCE ESTABLISHING LIENS FOR INSTALLATION OF PAVING, CURBS AND GUTTERS, SIDEWALKS, STORM DRAINAGE, STREET LIGHTS, AND STREET TREES, FOR 11TH STREET, FROM M STREET TO OLYMPIC, PROJECT P20164, IN THE CITY OF SPRINGFIELD, LANE COUNTY, OREGON AND DECLARING AN EMERGENCY.

Accounting Manager Valerie Warner presented the staff report on this item. The city has completed a local improvement project for 11th Street, from M Street to Olympic, Project P20164. The council is requested to adopt the ordinance assessing the properties for this project in the amount of \$58,200.00. The ordinance contains an emergency clause that makes it effective immediately upon adoption. The emergency clause is being used because staff would like to enter the liens on the city docket as soon as possible.

Ms. Warner said the council briefing memo outlines the steps taken and when they were taken. This project was accepted in April of 2003 and in the months between now and then, three of the properties have changed hands. The sellers of the properties are obligated to inform the new buyers of the pending liens on the property. One of the property owners who purchased the property at 1096 N Street, subsequent to the public improvement for the previous owner who did not qualify for CDBG funds, has requested the city consider providing CDBG funding. Because it takes some time to qualify a property owner for the CDBG assistance, she would suggest going forward and allow staff time to work with the property owner to try to qualify him for the funding.

Councilor Ralston asked if all of the property owners agreed to the improvements and liens. He noticed that two of the property owners have a '0' next to their names.

Ms. Warner said those two owners qualified for one hundred percent CDBG funding so they are not paying any of the cost.

Ms. Warner said the property owner from 1096 N. Street has submitted a Request to Speak card and will be speaking before council.

Mayor Leiken opened the public hearing.

1. Edward Ford, 1096 N. Street, Springfield, OR Mr. Ford discussed the different properties along this street and how these liens would affect them differently. His family cannot afford the \$10,000 it will cost for this improvement. This is his first house and he would not be able to keep his house if he has to pay that money. He was told it would be based on his income, but it was based on the bank that owned the house before him.
2. Mickey Stafford, 721 Centennial Boulevard, Springfield, OR Mr. Stafford said he was here for his friend, Edward Ford. He said he was under the impression that first time buyers should be encouraged to buy a home, upgrade houses and the city would encourage people to get into ownership. He sees this situation as putting someone out of ownership. He knows what Mr. Ford makes and doesn't think it is fair for this gentleman who is struggling. It is set up in a way that would mean he will lose his home. He encouraged council to rethink and reassess this and encourage ownership, not foreclosure.

Mayor Leiken closed the public hearing.

Mayor Leiken asked Ms. Warner if Mr. Ford had a chance to qualify for the CDBG funding.

Ms. Warner said the qualification for the exact level of CDBG funding is done by the Public Works Division and she does not know the formula.

Mayor Leiken recalled a similar situation several years ago. He would like to suggest removing the emergency clause so council could look at this more closely. He would like to know if Mr. Ford would be able to qualify.

City Engineer Al Peroutka from the Public Works Department said he doesn't have the numbers with him. The formula is based on Lane County average incomes and family size. He hasn't discussed this enough with Mr. Ford to know where he might fall in those categories. According to the testimony given tonight, he may fall below the average and would qualify for zero cost.

Councilor Woodrow asked if the one property could be removed from this list until the CDBG funding issue is determined.

Ms. Warner said it could possibly be done. She would have to adjust the paperwork. She said the emergency clause is to get the properties on the books to avoid additional transfer of ownership and to recover the money the city has already put out for this project.

Mayor Leiken asked what would happen if the emergency clause was removed.

Ms. Warner said it would put this off until the next meeting.

Mr. Kelly said the next meeting would be in January which would give staff sufficient time to determine if Mr. Ford were to qualify for the CDBG Funding.

Councilor Ralston said he is opposed to forcing assessments like this. He would rather wait and try to see if the property could qualify.

Mayor Leiken said we will remove the emergency clause and take this as the first reading.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR WOODROW TO TABLE THIS ITEM AND BRING IT BACK AT THE JANUARY 10 COUNCIL MEETING. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST (1 ABSENT – BALLEW).

2. Vacation of Sports Way, Workstage LLC Applicants.

ORDINANCE NO. 6104 – AN ORDINANCE VACATING SPORTS WAY RIGHT OF WAY AND ABUTTING PUBLIC UTILITY EASEMENTS FROM MAPLE ISLAND ROAD SOUTH, APPROXIMATELY 435 FEET, IN THE CITY OF SPRINGFIELD, LANE COUNTY, OREGON AND DECLARING AN EMERGENCY.

City Planner Jim Donovan presented the staff report on this item. The applicants initiated the right of way vacation in accordance with the requirements of Section 9.010 of the Springfield Development Code. The Springfield Planning Commission unanimously adopted a recommendation for approval of this request based upon staff's recommended findings and conditions in accordance with Section 9.030 of the code. If the council agrees with the Planning Commission recommendation, the attached emergency ordinance can be adopted by motion and vote.

The subject right of way is a 435- foot, fully improved section of Sports Way dedicated and constructed as part of the former sports center project. The applicants proposed the vacation in order to construct a 180,000 square foot call center on the vacant site. Sports Way and Maple Island Road street improvements terminate immediately north and east of the subject site. The city has allowed an unimproved section of Sports Way right of way, north of the subject site, to be used as utility, homesite and agricultural access for 3 properties (City of Springfield, Eugene Water and Electric Board (EWEB) and Knox Family Trust) and three public utility easement holders (Springfield Utility Board (SUB) Water, Rainbow Water District, PacifiCorp). This section of right of way will remain, but be supplemented with alternate, temporary access from the south until the planned street system is constructed in conjunction with development of the surrounding area. The applicant has provided dedication of right of way for future connection to the planned city street system and alternate access and utility easements to mitigate the short term effects on the existing property owners and easement holders. The attached staff report, ordinance and proposed easements address the utility and access issues in accordance with the criteria of approval contained in SDC 9.030.

The applicant has submitted signatures of the abutting property owners (co-applicants) and owners of 2/3 of the property in the affected area in accordance with ORS 271.080. If approved, the vacated property will accrue to the abutting properties in accordance with ORS 271.140.

Mr. Donovan said criteria number one addresses consistency with the long term plans for the circulation and development of the area in accordance with city code and Metro Plan. To that extent, city staff has found that the system of alternative dedication of right-of-way and proposed easements do satisfy and mitigate any effect on the long term plans and the Transportation Planning Rule 12 Section of the Metro Plan. With regard to criteria number two, there is no negative effect on traffic circulation and other public benefits. The applicant does recognize there are three utility holders and three properties north of the segment of right-of-way. The vacation of right-of-way segment is entirely contained within the property the owner will shortly own. The three easement holders and property owners north of the subject vacation have been provided easements for their movement to and from their property and public utility facilities. Mr. Donovan said he would address any questions from council.

Mr. Donovan said there are letters of concurrence from all of the easements and agreements from five of the six property owners and utility holders. Those easements can be prepared and suitable for filing on the day that the appeal period elapses on the ordinance if adopted tonight. There is one item of concern from one property owner. That property, the Knox property, is north of the urban growth boundary (UGB) and city limits. The issue was raised regarding access and circulation. Mr. Donovan said the Knox family trust representative would be speaking before council to discuss whether or not that issue has been resolved. Discussions on that issue are currently underway. He would defer comments on that issue until they are needed or perhaps in rebuttal.

Mr. Leahy said if the position of the Knox Family is a serious objection based on failure to meet criteria, Mr. Donovan may want to come back to present information in respect to those criteria. It may be unnecessary to put that into the record if resolution is found between the Knox family and Royal Caribbean.

Councilor Pishioneri declared a potential conflict of interest and did not participate in the discussion, deliberation or decision making.

Mayor Leiken opened the public hearing.

1. Terri Harding, Planning Manager Satre Associates, 132 E. Broadway Suite 536, Eugene, OR
Ms. Harding said she was here to represent the local design team assembled to assist Workstage and Royal Caribbean Cruises Ltd. Royal Caribbean has announced their plans to build a 1000 employee customer contact call center on the Chambers' property in north Springfield. Ms. Harding introduced Bill Vandenberg, director for development from Workstage LLC; Monica Anderson and Janet Pardee, Civil Engineers from Balzhiser and Hubbard Engineers; Chris Clemow, Transportation Engineer from Group MacKenzie; Nancy Steele, Architectural Design Representative from Spangenberg Philips Architecture; Nancy Owen, Assistant to the Project Manager at Workstage LLC; and Kristine Pizzuti, Legal Counsel to Royal Caribbean from Schwabe, Williamson and Wyatt in Portland. The site plan review package for this project was submitted to the city on November 12, 2004. In order for the site plan to be approved and to develop the customer contact call center, a roughly 435 foot section of Sports Way needs to be vacated. On November 23, 2004, the Springfield Planning Commission voted unanimously to recommend approval of the vacation to the council. She asked that council approve the ordinance vacating the street tonight to allow development to move along on its tight construction schedule with the building opening in late 2005. Commensurate with this vacation request is an offer from the applicant to the City of Springfield to dedicate 70 feet of right of way along the southerly partial boundary, east of Sports Way for future road construction. In addition, there are several utility providers with facilities in the vicinity and they have been working with them to provide access easements through the site until such time as the local street system is reconnected. There is also one private property just outside the UGB to the north, the Knox property, which takes access from the end of Sports Way right-of-way. Another access point exists from a county road on the north end of that property. Royal Caribbean and the Knox Family Trust have reached an agreement in principal similar to the agreement with the utilities regarding this access easement through this site. The details were being finalized during this testimony. An agreement should be reached in the next couple of days, well ahead of the ordinance taking affect. The applicant agrees with staff's assessment that the vacation request complies with the approval criteria in the Springfield Development Code. Letters are attached to the application supporting the proposed right-of-way and easement from the project's transportation and civil engineers. Those letters were included in the council agenda packet. Both letters confirm that there would be no negative impacts on transportation circulation or utility infrastructure. Based on the information and findings contained in the application, the proposed street vacation meets the criteria for approval and the applicant requests that the City Council approve the proposal tonight so the ordinance may take effect on January 6, 2005 and construction on the project can move forward as planned. Royal Caribbean will continue to collaborate with the community of Springfield as this project proceeds.
2. Jim Spickerman, Gleaves, Swearingen, Potter and Scott LLP, 975 Oak Street, Suite 800, Eugene, OR
Mr. Spickerman said a tremendous amount of effort has been put forward by city staff, Royal Caribbean and himself to get this agreement. They have worked on several issues related to both long term access and interim access through the Royal Caribbean site. He noted letters submitted to Mr. Leahy which stated objections Mr. Spickerman would make if the council did not approve the Memorandum of Understanding and if he was unable to work out the last couple of issues with Royal Caribbean regarding the interim easement. He does not anticipate problems with either. He spoke with Ms. Pizzuti regarding the easement

issues, but they were unable to get it all put together tonight. He said it should come together tomorrow. Mr. Spickerman stated the objections for the record. He said he appreciated the help of the staff and Mr. Leahy's efforts. He feels we will end with a good result.

Mr. Leahy said staff is not going to submit information in rebuttal. If council approves the ordinance and it goes forward, Mr. Spickerman has stipulated that we can reopen this record for purposes of putting information in that responds to the criterion that his letter addresses in terms of no negative impact. Mr. Leahy would like it on record from the attorney for Royal Caribbean that is satisfactory.

Mr. Spickerman said he did so stipulate.

Ms. Pizzuti, representing the Royal Caribbean, said they approved of that stipulation.

Mayor Leiken closed the public hearing.

Councilor Fitch thanked staff and all parties involved for their efforts to make this work and go forward.

Mayor Leiken thanked everyone involved and said they did a great job.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR WOODROW TO ADOPT ORDINANCE NO. 6104. THE MOTION PASSED WITH A VOTE OF 4 FOR AND 0 AGAINST. (1 ABSTENTION – PISHONERI, 1 ABSENT – BALLEW)

3. South 42nd Street Reconstruction Project, Phase I (P20347).

City Engineer Al Peroutka and Engineer Jeff Paschall presented the staff report on this item. At the November 29, 2004 work session, the City Council reviewed the staff design recommendation for phase I of the South 42nd Street Reconstruction Project. Council gave direction to explore alternatives regarding property owner access between the railroad tracks and Mt. Vernon Road and the possibility of a mid-block pedestrian crossing. Staff is in the process of investigating these issues and will present options during the staff presentation prior to the opening of the public hearing.

The public hearing has been advertised in the local newspaper and was noted in the flyer that went out to area residents advertising the November 16, 2004 open house. The staff proposal and background for the project are discussed in detail in the Council Briefing Memorandum (Attachment A included in the agenda packet). The proposal is shown graphically in Attachment B in the agenda packet.

A public hearing will be held to allow the council to accept oral testimony. At the conclusion of the oral testimony portion of the hearing, the council is asked to provide approval by motion for the staff recommended design elements, with any modifications council decides are needed based on public input and council deliberation.

Mr. Paschall said he was presenting the same basic design that was presented to council during their November 29 work session with some minor changes as requested by council. One of the questions asked during that work session was whether or not school speed limit signs for 20

m.p.h. could be posted at all times. This is currently not permitted under state law. Mr. Paschall discussed driveway access for homes near the roundabout at Mt. Vernon and options available. He discussed another piece of property that is scheduled for development where a new road will be constructed next summer. The city will work to get access on that new road rather than having access off 42nd Street.

Mr. Paschall said another question was regarding a mid-block crossing. This was not recommended by staff or the Citizen Advisory Committee (CAC) because of the prominent drop in the grade of the street. Staff looked at the option of putting a mid-block crossing further north and he pointed out a possible crossing on the map. It is a short distance from the Mt. Vernon intersection. Mr. Paschall contacted the Oregon Trucking Association (OTA) and they were comfortable with the roundabout design as long as they are informed of what design vehicles the city uses. They would also like to see a final design for approval. The roundabout is still the staff and CAC recommendation at Mt. Vernon Street with the proposed breaks in the median that intersection does not meet signal warrants and the stop sign currently in use provides less than optimal pedestrian safety. Another concern staff is seeking direction from council on is the construction timeline. Currently, they are scheduled to begin after July 5, which would enable the city to have most of the work done by September. There has been concern by a couple of CAC members who are also business owners. They would like to push the construction timing back to August, which would push the final date to October.

Councilor Lundberg said if we move the construction start time to August, construction will be going on during school time. She asked why the businesses wanted the construction time moved back.

Mr. Paschall said the majority of the store's business is during the summer through Labor Day and October. The majority of the nursery's business is from April to June, but they still asked to have the start date moved to August. Staff recommends putting signs out sooner and detour routes clearly marked.

Councilor Woodrow referred to the driveways that Mr. Paschall had mentioned that could be moved or joined together. He asked if Mr. Paschall had talked with those property owners about moving their driveways.

Mr. Paschall said the driveways are currently separated by only about three feet, so it would not be a major change. One of the property owners was on the CAC, but he has not yet talked to them about joining their driveways.

Councilor Ralston said he is becoming less enthused with roundabouts. They must be functional and have a purpose and to slow down traffic is not a good reason. The traffic on 42nd Street is fairly heavy at times, especially when there is a train and traffic gets backed up. The roundabout at that location is too small and unnecessary. The stop sign has worked fine at that location. He supports a roundabout at 42nd and Jasper, but not at Mt. Vernon.

Councilor Pishioneri said he completely supports putting the crossing where staff indicated. He would not support the project if a median is raised because it is a safety issue for children on bikes trying to get up on the median to use it as a sanctuary.

Mr. Paschall said they are looking at ways to redirect bike traffic. There is also consideration of widening the sidewalk to allow for multi-use.

Councilor Pishioneri said he would support the crosswalk as indicated on the map and some sort of physical barriers to channel the bike and pedestrian traffic out of the swale.

Councilor Fitch said this is a complicated issue, but safety came first. Staff is hoping for approval so the project can go forward by the next school year to avoid another tragedy. There is still some room to make some changes and some of the councilors' concerns could be considered. She believes the roundabout will slow down traffic and make it safer for children and she would support the roundabout. Staff needs to continue to listen to the CAC before construction. She said waiting until August to begin may not be the best option because it puts the project into October when the weather can become wet and difficult for construction. She suggested starting on July 15.

Mayor Leiken opened the public hearing.

1. Renee Clough, 4253 ColeWay, Springfield, OR Ms. Clough said she lives just south of the 42nd Street and Jasper Road intersection. She said her main goal in joining the CAC was the roundabout at 42nd and Jasper. It is currently very difficult to get out of her home because of the condition of the intersection. She described the difficulty of getting out of that area. Something needs to be done with that intersection. She does not feel that a stop light would work as well as a roundabout in that situation. She described the disadvantages of a stop light. She said either a roundabout or a stop light at Mt. Vernon would work. The current situation does not work well now and as the area grows there will be more traffic on 42nd Street and will continue to be more difficult to make a left turn from 42nd Street to Mt. Vernon. It will also be difficult to make a left turn off of Mt. Vernon onto 42nd Street. She is not as impacted by that situation as she is the 42nd and Jasper intersection, but something needs to be done.
2. Kathleen Kather, 790 South 42nd Street, Springfield, OR Ms. Kather said she does not want the roundabout at 42nd and Mt. Vernon or the median. If an accident occurs in that area, she doesn't feel a fire truck or ambulance could get by there safely. She said there is a lot of traffic in that area and if the train stops there will be a big traffic jam and people will be stuck. There is extra cost of maintaining a landscaped median. She bought a house with a large front yard and she does not want that taken away from her and it is her understanding they would have to do that if a roundabout was put in at that location. It would be very inconvenient for them to go north. She said it is not an option to have a joined driveway because that is her road, not a public road. She has a thirty-three foot camper and she wants to be sure they are able to get out of their yard. There does need to be safety on that street. There is currently a yellow flashing light, but it is blocked by trees. They do need sidewalks.
3. Joe Isenberg, 1020 S. 42nd Street, Springfield, OR Mr. Isenberg is a partner with the Little Red Farm Nursery along with his wife, his cousin, Bob Cramer and Mr. Cramer's wife. The nursery has been at this location since October 1990. Bob Cramer was on the CAC, but was unable to attend tonight's meeting. Their issue is the start date of the project. They went through the Jasper Road improvement in 1997. That project caused one of the nurseries in that area to shut down because of loss of sales and was devastating to the Little Red Farm as well. They estimate that if the start date is in early July, they would lose approximately

\$25,000-\$30,000. Most of their customers are woman who are older who enjoy gardening in their later years. In 1997, during the construction of Jasper Road, they observed people turning away from their business. He is not opposed to improving the area, but would ask that the businesses be considered over the school issue. Busses will drive slowly and the school will not go out of business. If his business were to lose \$25,000-\$30,000, they could lose their business. They are requesting the project get started as late as possible.

4. Jeannie Crane, 885 South 42nd Street, Springfield, OR Ms. Crane said she is opposed to the median. One of her major concerns in the beginning was that it was full median and may not allow emergency vehicles to get through. When she voiced her opinion on that she was told that if there was a restriction, emergency crews could bring their equipment over the median, but she does not agree. The median restricts a lot of traffic flow. This is a multi-use road with oversize vehicles, farm vehicles, etc. It would cost more money to maintain the median and that is not necessary. Less property would need to be acquired without the median. She feels the kids would use the median for a fun place. She said that breaks in the median would be preferable to no breaks, but she prefers not to have them at all. She agrees that traffic needs to be slowed down and she likes the roundabout at Jasper Road. There were a number of comments that came from the open house and there are still a lot of concerns. She would like to keep a flashing light that is visible for children at the current location. Widening the streets and putting sidewalks in will also make it safer.
5. Fred Simmons, 312 S. 52nd Place, Springfield, OR Mr. Simmons asked which standards were used for the roundabout. Mr. Barnett replied. Mr. Simmons asked if concrete would be used. He said he doesn't want to get into a Gateway Road issue with this new roundabout and wanted a lifecycle analysis completed. He would advocate for the best design possible to allow for larger trucks. He discussed the tree canopy. During the construction of the Gateway roundabouts, they didn't have advice from the city's staff. The proposed roundabout needs to be designed to allow the most engineering capacity. The issue of the roundabout at Mt. Vernon is a real challenge regarding design. At this time the traffic load doesn't warrant traffic lights, but with the growth that will occur east of 42nd Street, it is a good plan. He doesn't like medians. They are an extra cost and without a clear demonstration about the traffic safety components they will find it unnecessary.
6. Leslie Gustafson, Lowell, OR. He said he did not hear about this until this evening. He is totally against roundabouts. He said they are a sixteenth century solution to a sixteenth century problem and do not have a place in multi-horse power vehicles. He agrees that the street needs to be widened with sidewalks. Children need a crosswalk that is well lit and well marked. Unfortunately, many will still cross where there is no crosswalk. He suggested having the street well lit so drivers could see pedestrians. He said there was a woman on television who said traffic would drive 50 m.p.h. on this street. He said he drives a truck and does not go anywhere near 50 m.p.h. Larger truck will go slower speeds. A roundabout would block the streets, especially if larger vehicles needed to pass through. If necessary, he suggested making a four way stop at Jasper Road and 42nd Street. He suggested putting in a separate turn lane at the Mt. Vernon intersection if necessary.

Mayor Leiken closed the public hearing.

Councilor Woodrow asked staff how much time would be saved on construction if a redesign was done without a median.

Mr. Peroutka said the large roundabout would take the longest time. It is difficult to estimate, but it could save a couple of weeks. It simplifies things such as less curb work, but that is just a guess.

Councilor Woodrow said an equitable compromise could be to eliminate the median, not have the roundabout at Mt. Vernon and schedule the start date a little later to accommodate businesses.

Mayor Leiken said part of the issue is a state system becoming a street in our city. People are a creature of habit. When the Jasper Road Extension (JRE) project is complete, most of the large truck traffic will go that way. It is important to look at the issues discussed tonight and also to consider the long term. This is a significant neighborhood that was built within a state truck system. In due time, it will be a good neighborhood system. This roadway may need to be revisited in the future.

Mr. Barnett said the timeline may not change if the roundabout at Mt. Vernon is not installed, but a traffic light is installed. He said the construction time on the ground would be longer for a roundabout, but there could be longer waits as far as getting the signal from the manufacturer for stop signals. The purpose of the median is two fold; one for pedestrian refuge and two to slow down traffic. If the median is removed, a three lane cross section could be used with the center lane used as a turning lane. A two lane facility could also be used. The median layout shown by Mr. Paschall allows left turning access from every parcel that is currently developed.

Councilor Lundberg said she was going to ask if they could put in a center turn lane, which would allow traffic that is backed up by a train to turn around. She asked if it would be possible to have a start date that would not affect the business community. She was concerned, however, about construction occurring during school time and asked if the schedule could be tightened up to keep that from happening. She asked if it would be possible to reconvene the CAC and still stay on the timeline. She understood the Mt. Vernon intersection did not warrant a stop light, and asked if a stop sign could still be placed there.

Mr. Barnett said a stop sign would work at Mt. Vernon for a period of time. It may have to be revisited in the future as traffic volumes increase. He explained the problems that come with long queues of traffic and the increase in traffic accidents.

Councilor Lundberg asked when the Jasper Road Extension (JRE) was to be completed.

Mr. Barnett said it was in the County CIP for 2007, but may not happen that soon. When the city applies for a railroad crossing permit, the State of Oregon Railroad may require a median at crossing locations. Those medians are put into place to prevent people from driving around the gate. That part of a median may be out of the city's control.

Councilor Ralston said a wider road and sidewalks are necessary. He said that Councilor Woodrow had a good idea. He would like to break the vote into four pieces. He would suggest voting on the 42nd Street and Jasper Road roundabout first, the median second, the roundabout at Mt. Vernon third and the timeline fourth.

Councilor Pishioneri said he agrees the roundabout at Mt. Vernon is not popular, but a stop light could cause problems with the railroad crossing. It is important to keep traffic moving in that area. He said maybe council could direct staff to work with the CAC regarding the timeline.

IT WAS MOVED BY COUNCILOR FITCH TO APPROVE CONCEPTUAL DESIGN ELEMENTS OF THE SOUTH 42ND STREET RECONSTRUCTION PROJECT, PHASE I (P20347) INCLUDING TWO ROUNDABOUTS AND A RAISED MEDIAN. **THE MOTION DIED FOR LACK OF A SECOND.**

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR WOODROW FOR APPROVAL OF A TWEAKED CONCEPTUAL DESIGN OF THE SOUTH 42ND STREET RECONSTRUCTION PROJECT PHASE I (P20347) WITH ONE ROUNDABOUT AT JASPER AND 42ND STREET, LIMITED MEDIAN AS REQUIRED TO COMPLY WITH THE LAW, STOP SIGN WITH YELLOW WARNING LIGHTS PEDESTRIAN INITIATED AT MT. VERNON AND WITH A START DATE AS CLOSE TO ACCOMMODATE BUSINESSES AS POSSIBLE, TWO LANES WITH A CENTER TURN LANE.

Councilor Woodrow asked Ms. Crane if she still had a concern.

Ms. Crane said she was concerned with only having a stop sign at Mt. Vernon and 42nd Street. The flashing crossing would be better on the north side.

Councilor Woodrow asked Ms. Crane to discuss her concerns with Mr. Barnett and other staff.

Councilor Lundberg said if they were to keep it as a stop sign at Mt. Vernon, eventually this would need to be revisited. She asked if there was a projected timeframe of when this would come back for discussion.

Mr. Barnett said it would depend on when the JRE is completed. If it was completed in 2010, and the subdivision growth in that area was consistent with the general Springfield area, it could be somewhere around 2015 when they would revisit this issue. Their current projection to 2025 showed that the Mt. Vernon intersection did not meet signal warrants. It is a T intersection and there is limited volume on Mt. Vernon Road, so for that intersection to reach traffic signal warrants is very unlikely.

Councilor Pishioneri said by having a stop sign there, how often during the day would traffic be backed up to the railroad crossing.

Mr. Barnett said the traffic which would back up would be the traffic wanting to turn left and is blocked by northbound traffic. He does not have personal observation. If there were three lanes, there would be opportunity for some traffic to turn around and the road would not be blocked.

Mayor Leiken suggested voting on this motion.

THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST (1 ABSENT – BALLEW).

BUSINESS FROM THE AUDIENCE - Limited to 20 minutes. Please limit comments to 3 minutes. Request to Speak cards are available at both entrances. Please present cards to City Recorder. Speakers may not yield their time to others.

1. BJ Jones, 93175 Powerline Road, Eugene, OR. Mr. Jones requested the additional time to speak under Business from the Audience through his letter attached under Correspondence and Petitions. Mr. Jones distributed packets of information which he related to during his testimony. Mr. Jones introduced Mr. Valente Sanchez who stood to be recognized. Mr. Sanchez is a business owner and tenant in one of Mr. Jones' buildings. Mr. Jones said he has some important concerns regarding the city's current policy regarding system development charges (SDC's). SDC's are an important part of revenue for the city, but he questioned whether the current policy encouraged or discouraged vital development in Springfield. Perhaps SDC's should be revisited. He discussed the fact that an existing facility loses its use after two years of nonuse and the reason that was put into place. That policy has not been effective and places an added burden on both the new developer and the prior owner. Removal of two year nonuse period makes sense for both the public body and the private individual. There is support for removal of this time restraint from both the public and private sectors. He discussed zoning issues and the time limits placed on those zoning designations. He suggested having a policy of computing SDC's based on the historical record of a property's highest and most intensive use. He discussed the present policy of the city regarding SDC's. He gave examples. Mr. Jones said his last issue, is perhaps the most controversial. It would mean less revenue collected by the city through SDC's. He discussed the existing policy of SDC credits. He gave additional examples of redevelopment and new development and the differences in the credits. He gave two examples of lost businesses as a direct result of its SDC's. He hopes the City of Springfield will 1) remove the two-year restriction on "non-use" of property to run concurrently with zoning that does not have any time use restraints; 2) that SDC's be credited at the historically highest or most intensive prior use of the property in review; and 3) that SDC's be less for prior developed properties than the current rates which are the same as those charged for new development. Mr. Jones discussed Mr. Sanchez's business and the difficulties with the SDC charges and the way city staff approached Mr. Jones. Mr. Jones read from the Organizational Values Statement of the City of Springfield. Mr. Jones discussed the SDC's that Mr. Sanchez has been charged with and asked council to make some changes to alleviate those charges. The SDC was paid by Mr. Jones in 1998. Mr. Jones and Mr. Sanchez asked for a waiver, but city staff would not look at it without the fees. He asked council to look at the document. He hopes this issue can be resolved. Mr. Sanchez makes inexpensive tacos and works twelve hour days by himself to keep his business running. The charge of \$5600 in SDC's is a lot of money for Mr. Sanchez as is the \$500 for something that has already been done. He wants Mr. Sanchez to remain in business. Mr. Sanchez has contacted the micro-business person at Lane Community College (LCC) for assistance. The city has an agreement with that program. This could be resolved if the historical use was applied. He referred to the improvements that were made in 1998. He discussed a food cart for fish and chips that he would like to start, but the SDC's will cost as much as the project and that isn't right.
2. Katia Jimenez, 4009 East 17th Avenue, Eugene, OR Ms. Jimenez said she was here to state why she lives in Glenwood and why we need to be more proactive to share ideas and work in a more community minded situation for a win-win situation. Ms. Jimenez works at the

University of Oregon and has lived in Glenwood for twelve years. She chose Glenwood because it is bicycle accessible to the University and she could save money by not using her car. She has gotten to know a lot of the people in the community. It is important for the council members to go out and look at the Glenwood area and see the potential. Industry may need to come in and there are a lot of possibilities, but there are a lot of people that live there that could be moved out if certain things happen. It would not be to the advantage of the future. There is the potential for the city to look very good in the future and for Glenwood to have a great community. She wants to be positive and believe we can work together to make a great community. The potential is already there.

3. Steve Ramseur, 1715 Concord Avenue, Eugene, OR Mr. Ramseur said he sent council members an email. He reaffirmed what Ms. Jimenez said. He is looking forward to the process of Glenwood being developed. He hopes the city and Glenwood can work together and the advisory committee can be a resource and source of ideas. He said he was impressed with the meeting tonight, where the council's hearts are and the way the council listens to people. He said he hoped that as the development of Glenwood moves forward they would use the residents of Glenwood as a resource. The things Glenwood residents want for Glenwood is not too far from what would be in the best interest of Springfield. He hopes it goes well.
4. Fred Simmons, 312 S. 52nd Place, Eugene, OR Mr. Simmons spoke on the Utility Tax and asked council to oppose it. He said the second worst option would be to oppose it with referral. The worst option would be to adopt the ordinance as it is. Mr. Simmons said if council adopted the ordinance, he would go out for signatures for a referral. If council would like to bring it to the voters in March or May, he suggested they vote it with referral. He asked council to dig deeply and look for other options. He understands the financial implications, but doesn't think this ordinance would be successful.
5. Joan Armstead, 4017 East 16th Avenue, Eugene, OR Ms. Armstead said she was here to tell council about some things in the Urban Renewal Plan that she would like to see happen regarding the process. She would like to see a clause included in the Urban Renewal Plan that the Board will follow the rules of the Glenwood Urban Refinement Plan. Councilor Fitch suggested emailing them with the exact location of that language. Ms. Armstead said she is still concerned about representation on the Springfield Economic Development Agency (SEDA) Board. She suggested making that seat on the board open for a member that is involved in the area of urban renewal that is applicable at the time. She said an elected person from Glenwood could be a member of the Glenwood Water Board. She wanted to know how the board would be choosing the Advisory Committee.
6. Vonda Welty, 4096 East 17th Avenue, P.O. Box 3266, Eugene, OR Ms. Welty said she bought a house in Glenwood because she could afford a house in Glenwood. She works for the University of Oregon. She loves where she lives, but with the proposal for urban renewal it would appear others do not love the area. People in Glenwood are good neighbors; they garden, work and play together. She feels that they are being disregarded in the urban renewal process. She doesn't think Springfield has taken in this area. She discussed many businesses that are good, functioning businesses that the city is disregarding. She discussed the pipe organ factory that sells pipe organs all over the world and the river rafting shop. Tearing down good buildings is only adding junk to landfill. The citizens of Glenwood need to be more involved in this process. She said it hurts when the city calls this area blight. She

has seen both Eugene and Springfield police send homeless people to Glenwood and that doesn't help. Glenwood needs representatives on the boards that are making decisions.

COUNCIL RESPONSE

Councilor Fitch asked that staff keep the information provided by Mr. Jones regarding the SDC's. When updates on this issue come up, staff could refer to it for advisement.

Mr. Kelly said staff would do that.

Mayor Leiken called for a short recess to allow time to connect Councilor Ballew via conference phone from Europe.

Mayor Leiken reconvened the council meeting.

CORRESPONDENCE AND PETITIONS

1. Correspondence from BJ Jones, 93175 Powerline Road, Eugene, OR Regarding System Development Charges (SDC's).

BIDS

Councilor Ballew joined the council via conference phone.

ORDINANCES

1. Utility Tax.

ORDINANCE NO. 6105 – AN ORDINANCE AMENDING THE SPRINGFIELD MUNICIPAL CODE TO PROVIDE FOR LICENSING OF UTILITIES, IMPOSING A PRIVILEGE TAX UPON UTILITIES DOING BUSINESS IN THE CITY, AMENDING SECTIONS 4.600 THROUGH 4.716, ADDING SECTIONS 4.800 THROUGH 4.807, AND SETTING AN EFFECTIVE DATE.

ORDINANCE NO. 6106 – AN ORDINANCE AMENDING THE SPRINGFIELD MUNICIPAL CODE TO REGULATE ENCROACHMENT INTO, USE AND OCCUPATION OF THE PUBLIC WAYS, AMENDING SECTIONS 3.224 AND 3.226 AND SETTING AN EFFECTIVE DATE.

Technical Services Manager Len Goodwin presented the staff report on this item. Mr. Goodwin noted that the agenda packet summarized most of the testimony from the November 29, 2004 council meeting. He discussed a couple of new developments that came up following last week's meeting. There was discussion last week regarding whether or not internet service would be subject to taxation. That is still subject to litigation. He discussed decisions that will be made by the Supreme Court and Ninth Circuit Court of Appeals. The Supreme Court has decided to look at the question as presented in the Ninth Circuit Court of Appeals, which is that internet is a hybrid of telecommunications and information services. If that determination were sustained by the Supreme Court of the U.S., it would lead to the conclusion that this revenue would be subject to taxation. That decision was stayed and there are arguments both ways.

Mr. Goodwin said Councilor Ralston raised a question last week regarding a state Utility Tax. It now appears that the representatives from Qwest are interested and have suggested to cities that we engage in some kind of conversation that would ultimately mean the State of Oregon would impose some sort of Utility Tax or authorizing cities to impose such a tax. This tax would be collected by a central agency by the State and in theory, disbursed to cities. The tax they are suggesting would be identical to what is before council tonight. He said he doesn't know if the conversations would bear fruit. If so, there could be a question of whether citizens of Springfield would be subject to a tax for the purposes set by the Springfield council or subject to a tax for the purposes set by the State Legislature. Qwest is serious about this State tax.

Councilor Ralston said the purpose of entering into a state initiative would be to create a more fair tax that would encompass everyone in the same type of business.

Mr. Goodwin said that is correct. Qwest is proposing their Telecommunication tax would be identical to the tax proposed by this ordinance as it affects the telecommunications industry. Mr. Goodwin said it is no more uniform than the proposed ordinance before council other than the fact that the proposed ordinance before council only affects the City of Springfield.

Councilor Ralston discussed the fact that it would not be uniform across the state if other cities pass a Utility Tax of different amounts.

Mr. Goodwin said that is possible.

Councilor Fitch said a Utility Tax at the state level would be controlled by the state other than the individual municipalities.

Mr. Goodwin said that is where it is unclear. Qwest is suggesting the State authorize a Utility Tax. He is unclear if that means that each city could enact by their own ordinance a separate tax or a state tax. It would be paid to a central state agency and then perhaps disbursed similar to the revenue sharing for tobacco and liquor taxes.

Councilor Pishioneri asked about this issue coming before the Ninth Circuit Court of Appeals.

Mr. Goodwin discussed the different bills that relate to this that are going before legislature and the Supreme Court.

Councilor Fitch asked how long the ban on taxing the internet would be if the law was signed now.

Mr. Goodwin said it would be on until 2007.

Mayor Leiken asked Councilor Ballew if she had any questions. She did not.

Mayor Leiken discussed the possibility of a State Tax and where the money would be disbursed. The state does not have to share equitably with the cities. He said the reason council is looking at this ordinance is because of Qwest's decision to no longer pay franchise fees several years ago. That left the city without \$300,000-\$400,000 per year that should have come in as franchise fees. This caused part of the deficit the city is facing now and forced the city to look at other revenue

options such as a Utility Tax. Council must make decisions based on revenue and trying to make sure this community continues to provide services for its citizens. He said what Qwest did was wrong. This community has worked hard on partnerships. He understands that Mr. Simmons may take this out for referendum.

Councilor Lundberg said she agreed the city needs the funding. The telecommunications industry makes a lot of money and it is a revenue source that is not being taxed in terms of fairness. She knows that if this were to pass, however, the industry would not absorb the tax, but the consumer would have to pay the tax. This is a complicated issue and she is supportive of having the state set this tax. They can use it at the state level if they choose. She feels every city must have the same tax if it is to be fair. This needs more thought and time. She doesn't want to tax Springfield again.

Councilor Ralston said he feels this is an unfair tax. It gives some businesses an unfair advantage over others and that is wrong. It is regressive and hurts those on a fixed income. He knows it will be referred to the voters.

Councilor Fitch said tax is never a favorite word, but the reality is that the city is required to provide services to our citizens and revenue is needed to provide those services. Part of the revenue comes from property taxes, but not all of it. Not everyone uses land lines and cell phones have become a form of communications more widely used. The right to tax everyone, such as the satellite dish companies, has been taken away by Federal Law. Whether or not we could tax the internet is still unknown, but is not available now. To believe the state will do something better for the city is not likely to happen. We have basic services and needs in Springfield and this is a way to bolster the revenue and to provide funding to pay for services the citizens want. This revenue would go into the General Fund to meet those needs. She would be sharing the burden along with the other citizens of Springfield. This ordinance is written to allow the businesses to not have to pass on this cost if they chose not to. This tax could be written off as operating expenses and would not have to be passed on to the consumer. Considering these things, she supported both ordinances.

Councilor Ballew said she agreed with Councilor Fitch. Technology has changed and we need to move with the times. This ordinance would basically be substituting a tax for the franchise fee, so a lot of it would be the same. She said she would be supporting the change, because without it the city will be losing money.

Councilor Ralston said those in the unincorporated areas outside city limits would not be affected. He feels it would be a deterrent for people to annex to the city.

Councilor Woodrow said this has been very tough. He doesn't want to pay more taxes or have citizens pay taxes, but he doesn't want to have citizens go without police and street repairs. If franchise fees are eliminated, this could take the place of that and add some additional revenue. If the Utility Tax goes to the state, the state won't give the cities money. He said he would support this tax.

Councilor Pishioneri said he finds this difficult. People are looking at this personally, but this is not a tax on the citizens but on the telecommunications industry. The industry could choose to pass the tax on to the consumers, but that is their choice. This ordinance would require the

business to pay for using our area and if they decide to pass the cost to our citizens, then shame on them.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR WOODROW TO ADOPT ORDINANCE NO. 6105. THE MOTION PASSED WITH A VOTE OF 4 FOR AND 2 AGAINST (RALSTON AND LUNDBERG).

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR WOODROW TO ADOPT ORDINANCE NO. 6106. THE MOTION PASSED WITH A VOTE OF 4 FOR AND 2 AGAINST (RALSTON AND LUNDBERG).

Councilor Ballew exited the meeting by disconnecting from the conference phone.

2. Addition of Two Lane County Commissioners to the Existing Springfield Economic Development Agency Board of Directors.

ORDINANCE NO. 6107 - AN ORDINANCE TRANSFERRING AUTHORITY TO EXERCISE THE URBAN RENEWAL POWERS OF THE SPRINGFIELD ECONOMIC DEVELOPMENT AGENCY TO THE SPRINGFIELD ECONOMIC DEVELOPMENT AGENCY BOARD OF DIRECTORS WHICH SHALL BE COMPRISED OF THE MAYOR AND COUNCIL OF THE CITY OF SPRINGFIELD, OREGON AND THE LANE COUNTY COMMISSIONER ELECTED AS COUNTY COMMISSIONER TO SPRINGFIELD DISTRICT #2 AND THE LANE COUNTY COMMISSIONER ELECTED TO EAST LANE DISTRICT #5, WHICH IS DULY AUTHORIZED TO EXERCISE THOSE POWERS UNDER ORS 457.045, AND DECLARING AN EMERGENCY.

Economic Development Manager John Tamulonis presented the staff report on this item. On December 6, 2004 council is considering an Ordinance approving the Glenwood Urban Renewal Plan. If council approves the Glenwood Urban Renewal Plan, council also needs to follow-through with one of the changes required by the Lane County Commissioners for the approval they gave of Order No. 04-11-23-6/In the Matter of Approving the Glenwood Urban Renewal Plan on November 23, 2004.

Lane County wanted two Lane County Commissioners added to the Springfield Economic Development Agency (SEDA) Board. This Ordinance accomplishes that requirement, but requires an emergency provision.

Upon council approval of this Ordinance, staff would notify the SEDA Board of the council's approval. SEDA would then propose the needed changes to the by-laws to include the two commissioners along with the existing members (Mayor and City Council). SEDA could then approve changes to the by-laws at the next SEDA meeting on January 18, 2005. (SEDA by-laws can be approved by the SEDA Board no sooner than 10 days after being proposed.)

IT WAS MOVED BY COUNILOR FITCH WITH A SECOND BY COUNCILOR WOODROW TO ADOPT ORDINANCE NO. 6107. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST (1 ABSENT – BALLEW).

BUSINESS FROM THE CITY COUNCIL

1. Committee Appointments

a. Budget Committee Appointments.

Finance Director Bob Duey was present for questions. The Budget Committee will have one vacancy each in Ward's 1 and 2, due to the December 31, 2004 term expirations of Budget Committee Members Darnell Manning (Ward 1) and Hillary Larsen-Wylie (Ward 2). Mr. Manning has served less than one full term and is eligible to reapply. Ms. Wylie will have served one full three year term and is also eligible to reapply. The person(s) appointed will serve a three year term which will expire on December 31, 2007.

In response to the news release dated October 28, 2004, one application has been received for the Ward 1 opening and one application has been received for the Ward 2 opening for the two available positions on the Budget Committee.

The council interviewed one applicant for Ward 1 (Mr. Darnell Manning) and one applicant for Ward 2 (Hillary Larsen-Wylie).

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR WOODROW TO RE-APPOINT DARNELL MANNING TO THE BUDGET COMMITTEE WITH A TERM TO EXPIRE DECEMBER 31, 2007. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST (1 ABSENT – BALLEW).

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR WOODROW TO RE-APPOINT HILLARY LARSEN-WYLIE TO THE BUDGET COMMITTEE WITH A TERM TO EXPIRE DECEMBER 31, 2007. THE MOTION PASSED WITH A VOTE OF 5 FOR AND 0 AGAINST (1 ABSENT – BALLEW).

b. Arts Commission Appointment.

Library Director Bob Russell was present for questions. The Arts Commission has two vacancies on its board due to term expirations of members Nada Zawodny and John Keskinen. Ms. Zawodny has served since 1993 and is not eligible to re-apply at this time. Mr. Keskinen has served since 2001 and is eligible to re-apply.

John Keskinen, Don Anderson and Carol Hartley have applied for the two positions. Ms. Hartley's application arrived November 8, after the November 5 deadline for submitting applications.

The council reviewed the applications of all applicants during the November 15 work session.

The commission recommends that John Keskinen be appointed for a second term, with a term to expire December 31, 2008. Mr. Keskinen, as a currently serving member, brings experience as well as expertise to the commission.

The commission also recommends that Don Anderson be appointed for a term to expire December 31, 2008. The commission believes that Mr. Anderson's record of community involvement will be of special benefit to the Springfield community.

The Arts Commission believes Ms. Hartley to be well qualified as well. The commission is hopeful that Ms. Hartley will re-apply for future openings in the Arts Commission and will encourage her to do so.

All three candidates meet the residence requirement that members have a business or reside within the 97477, 97478, or 97482 zip code areas.

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR WOODROW TO RE-APPOINT JOHN KESKINEN TO THE ARTS COMMISSION WITH A TERM TO EXPIRE DECEMBER 31, 2008. THE MOTION PASSED WITH AVOTE OF 5 FOR AND 0 AGAINST (1 ABSENT – BALLEW).

IT WAS MOVED BY COUNCILOR FITCH WITH A SECOND BY COUNCILOR WOODROW TO APPOINT DON ANDERSON TO THE ARTS COMMISSION WITH A TERM TO EXPIRE DECEMBER 31, 2008. THE MOTION PASSED WITH AVOTE OF 5 FOR AND 0 AGAINST (1 ABSENT – BALLEW).

2. Business from Council

a. Committee Reports

1. Mayor Leiken noted that he will be having his last breakfast with Mayor Torrey as Mayor tomorrow morning.

BUSINESS FROM THE CITY MANAGER

1. Mr. Kelly reminded council of the Holiday Party at his home on Saturday, December 11. Council could look forward to their winter recess following tonight's meeting.

BUSINESS FROM THE CITY ATTORNEY

ADJOURNMENT

The meeting was adjourned at 9:30 p.m.

Minutes Recorder Amy Sowa

Sidney W. Leiken
Mayor

Attest:

City Recorder

